



A33846-PCT-USA - 072745.0116

PATENT

#12
B. Welton
10/2/01

OCT 01 2001

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hagerlid et al.
Serial No. : 09/719,960 Examiner : Sisson, B.
Filed : December 18, 2000 Group Art Unit : 1655
For : REACTION MONITORING SYSTEM

RESPONSE TO REQUIREMENT FOR RESTRICTION

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail, in an envelope addressed to: Hon. Commissioner for Patents and Trademarks, Washington, D.C. 20231

September 24 2001
Date of Deposit

Janet M. MacLeod
Attorney Name

Janet M MacLeod
Signature

35,263
PTO Registration No.

September 24 2001
Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is in response to the Office Communication mailed August 23, 2001 for the above-identified application. Applicants do not believe that any fee is required by this timely response. However, any fee necessitated by this communication may be charged to Deposit Account 02-4377.

Claims 23-45 are present in this application and have been subjected to restriction under 35 U.S.C. §§ 121 and 372 as follows:

- I. Claims 23-39, drawn to an apparatus for monitoring an array of reaction sites and an apparatus for identifying a target base; and
- II. Claims 40-45, drawn to a method of identifying a target base.

PATENT

In support of the present restriction requirement, the Examiner has alleged that the inventions of Groups I and II are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In order to be fully response to the Examiner's requirement for restriction, Applicants elect, with traverse, the subject matter of Group I, claims 23-39. However, the requirement for restriction is respectfully traversed in that the subject matter of the method claims of Group II is linked to the same general inventive concept as the apparatus claims of Group I, and examination of the two groups would not require as undue search burden.

Withdrawal of the requirement for restriction and favorable consideration and allowance of all pending claims is earnestly solicited.

Respectfully submitted,


Louis S. Sorell
Patent Office Reg. No. 32,439

Janet M. MacLeod
Patent Office Reg. No. 35,263

Attorneys for Applicants
(212) 408-2597

BAKER BOTTS LLP
30 Rockefeller Plaza
New York, NY 10112